IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

Tr.P(C).No. 240 of 2006()

OP.304/2006 of FAMILY COURT,TRIVANDRUM

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PETITIONER

SUGANTHY,
INJIKKOOTTIL HOUSE,
KUNCHITHANNY.P.O. KUNCHITHANNY VILLAGE,
IDUKKI.

BY ADV. SRI.N.K.SHYJU
SRI.K.S.ARUN KUMAR

RESPONDENTS:

LOUJAN,
QUARTER NO.147,
VSSC HOUSING COLONY,
ATTIPPRA VILLAGE,
PALLITHURA, THUMBA.

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISHNAN, J.

Tr.P.C.No.240 OF 2006

Dated this the 27th July, 2007.

JUDGMENT

The wife who is a respondent in an application for restitution of conjugal rights before the Family Court, Thiruvananthapuram in O.P.304/06 has moved this petition for transfer to the Family Court at Thodupuzha. It is averred that her financial position is very weak and she is having two small children aged 2 years and one year respectively which makes her even unable to go for casual labour work. It is also submitted that her parents are aged, unable to accompany on account of age factor as well as financial stringency. Respondent though served had not entered appearance and therefore the averments in the petition remains uncontroverted. Considering the facts mentioned in the petition it appears that this is a fit case where the wife is unable to travel from Idukki district to Thiruvananthapuram to attend the case. Therefore, the transfer petition is allowed and O.P.304/06 pending before the Family Court, Thiruvananthapuram is transferred to the Family Court at Thodupuzha for disposal. Before effecting the transfer the Family Court,

Thiruvananthapuram shall intimate the petitioner therein about the same.

M.N.KRISHNAN
Judge

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